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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------------------|------------------------|
| 10/635,475 | 08/07/2003 | Alejandro Wiechers | 200207448-1 | 1049 |
| 22879 7590 07/12/2007 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400 | | | EXAMINER RODRIGUEZ, LENNIN R | |
| | | | ART UNIT 2625 | PAPER NUMBER |
| | | | MAIL DATE 07/12/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/635,475

Applicant(s)

WIECHERS, ALEJANDRO

Examiner

Lennin R. Rodriguez

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 8/07/2003.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The Other Documents section in the information disclosure statement filed 8/07/2003 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the articles provided does not contain or have an accessible way to determined the articles' date. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Specification

2. The abstract of the disclosure is objected to because it contains improper language such as:

(1) "comprises" used in line 5.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Art Unit: 2625

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 15-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A "program product" is being recited; however a "program product" as presented in the claims is directed to software per se. This subject matter is not limited to that which falls within a statutory category of invention because it is limited to a process, machine, manufacture, or a composition of matter. Software is a function descriptive material and a function descriptive material is non-statutory subject matter. Examiner suggest changing it to – program product stored in a computer readable medium --.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6, 11-16 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Roztocil et al. (US Publication 2001/0044868).

(1) regarding claim 1:

Roztocil '868 discloses a method of managing workflow in a commercial printing environment including a designer location (print shop client in Fig. 1) and a print service provider location (print shop in Fig. 1), said method comprising:

creating a press ready file at the designer location using updated device configuration information from the print service provider location (paragraph [0027], lines 18-24, where the creation of the print ready file is done at the designer location (customer location paragraph [0022]) using device configuration information (the device configuration information at some point in time has to be updated into the system));

submitting said press ready file to the print service provider location via an electronic network (paragraph [0022], lines 8-13);

performing a preflight check of said press ready file at the print service provider location to identify errors in said press ready file that would prevent it from being produced at the print service provider location as designed at the designer location and initiating correction of said errors to ensure production substantially as designed (paragraph [0048], lines 1-6, where the job preparation includes job preparation stations (paragraph [0029]) and these at the same time performs the preflight check (paragraph [0030], lines 9-14, where the stations have capabilities to fix errors previously identified));

performing a prepress rework of said press ready file to address any changes in availability of production devices at the print service provider location after performance of the preflight check to ensure production substantially as designed (paragraph [0030], and [0031], where after some changes are been made at the job preparations workstations regarding features of the job the print ready file is updated (reworked) to include all the new changes into the file that is going to be send to the output devices);
and

performing at least one of automated printing (paragraph [0045], lines 1-6), finishing, packaging and shipping using said press ready file.

(2) regarding claim 11:

Roztocil '868 further discloses a program product for managing workflow in a commercial printing (paragraph [0036], lines 1-4) environment including a designer location (print shop client in Fig. 1) and a print service provider location (print shop in Fig. 1), said product comprising machine-readable program code for causing, when executed, a machine to perform the following method steps:

creating a press ready file at the designer location using updated device configuration information from the print service provider location (paragraph [0027], lines 18-24, where the creation of the print ready file is done at the designer location (customer location paragraph [0022]) using device configuration information (the device configuration information at some point in time has to be updated into the system));

submitting said press ready file to the print service provider location via an electronic network (paragraph [0022], lines 8-13);

performing a preflight check of said press ready file at the print service provider location to identify errors in said press ready file that would prevent it from being produced at the print service provider location as designed at the designer location and initiating correction of said errors to ensure production substantially as designed (paragraph [0048], lines 1-6, where the job preparation includes job preparation stations (paragraph [0029]) and these at the same time performs the preflight check (paragraph

[0030], lines 9-14, where the stations have capabilities to fix errors previously identified));

performing a prepress rework of said press ready file to address any changes in availability of production devices at the print service provider location after performance of the preflight check to ensure production substantially as designed (paragraph [0030], and [0031], where after some changes are been made at the job preparations workstations regarding features of the job the print ready file is updated (reworked) to include all the new changes into the file that is going to be send to the output devices); and

performing at least one of automated printing (paragraph [0045], lines 1-6), finishing, packaging and shipping using said press ready file.

(3) regarding claims 2 and 12:

Roztocil '868 further discloses wherein said prepress rework comprises reformatting said press ready file for a production device different than a previously selected production device for said press ready file (paragraph [0030], and [0031], where the changes made at the job preparations workstations regarding features of the job are been updated (new production device) into the print ready file include all the new changes into the file that is going to be send to the output devices).

(4) regarding claims 3 and 13:

Roztocil '868 further discloses wherein said step of performing a prepress rework of the press ready file includes determining whether a selected printer is available at the print service provider location and, if not, revising said press ready file for printing on an

alternate printer (paragraph [0031], where the printing production stage routes the jobs to the available printing is being interpreted as a determination if the printers are available or not and sending the job to alternate printers).

(5) regarding claims 4 and 14:

Roztocil '868 further discloses wherein said step of performing a prepress rework of the press ready file further comprises performing automated imposition setup of said press ready file to arrange a plurality of design pages of said press ready file onto one or more print pages (paragraph [0030], lines 9-24, where the blinder's creep, which is the inaccuracies of the imposition, is being prevented by shifting the image and arranging it in pages of a job).

(6) regarding claims 5 and 15:

Roztocil '868 further discloses wherein said step of performing a prepress rework of the press ready file comprises performing automated remote finishing setup of said press ready file to select the desired finishing options for said press ready file when printed at the print service provider location and to prepare finishing instructions to effect the same (Fig. 3 and Fig. 4, paragraph [0079], where the graphic user interface is allowing the designer to select the desired finishing options).

(7) regarding claims 6 and 16:

Roztocil '868 further discloses wherein said automated remote finishing setup of said press ready file is performed only if an error relating to finishing of said press ready file was identified in said preflight check (paragraph [0045], lines 1-6, 30-38, where the

automated finishing setup is performed if the device cannot handle the page feature (error)).

(8) regarding claim 21:

Roztocil '868 further discloses a system for managing workflow in a commercial printing environment including a designer location (print shop client in Fig. 1) and a print service provider location (print shop in Fig. 1), said system comprising:

means for creating a press ready file at the designer location using updated device configuration information from the print service provider location (paragraph [0027], lines 18-24, where the creation of the print ready file is done at the designer location (customer location paragraph [0022]) using device configuration information (the device configuration information at some point in time has to be updated into the system));

means for submitting said press ready file to the print service provider location via an electronic network (paragraph [0022], lines 8-13);

means for performing a preflight check of said press ready file at the print service provider location to identify errors in said press ready file that would prevent it from being produced at the print service provider location as designed at the designer location and initiating correction of said errors to ensure production substantially as designed (paragraph [0048], lines 1-6, where the job preparation includes job preparation stations (paragraph [0029]) and these at the same time performs the preflight check (paragraph [0030], lines 9-14, where the stations have capabilities to fix errors previously identified));

means for performing a prepress rework of said press ready file to address any changes in availability of production devices at the print service provider location after performance of the preflight check to ensure production substantially as designed (paragraph [0030], and [0031], where after some changes are been made at the job preparations workstations regarding features of the job the print ready file is updated (reworked) to include all the new changes into the file that is going to be send to the output devices); and

means for performing at least one of automated printing (paragraph [0045], lines 1-6), finishing, packaging and shipping using said press ready file.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7-10 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roztocil et al. (US Publication 2001/0044868) in view of Stewart et al. (US Patent 6,714,964).

(1) regarding claims 7 and 17:

Roztocil '868 disclose all the subject matter as described above except wherein said step of performing a prepress rework of the press ready file at the print service provider location further comprises performing automated remote packaging setup of

said press ready file to select the desired packaging options for said press ready file when printed at the print service provider location and to prepare packaging instructions to effect the same.

However, Stewart '964 teaches wherein said step of performing a prepress rework of the press ready file at the print service provider location further comprises performing automated remote packaging setup of said press ready file to select the desired packaging options for said press ready file when printed at the print service provider location (column 8, lines 39-44, where servicing on the completed jobs includes wrapping the documents to be shipped as well as boxing the documents) and to prepare packaging instructions to effect the same (column 8, lines 39-44, where servicing is being interpreted as containing instructions for packaging).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made said step of performing a prepress rework of the press ready file at the print service provider location further comprises performing automated remote packaging setup of said press ready file to select the desired packaging options for said press ready file when printed at the print service provider location and to prepare packaging instructions to effect the same as taught by Stewart '964 in the system of Roztocil '868. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(2) regarding claims 8 and 18:

Roztocil '868 disclose all the subject matter as described above except wherein said automated remote packaging setup of said press ready file is performed only if an error relating to packaging of said press ready file was identified in said preflight check.

However, Stewart '964 teaches wherein said automated remote packaging setup of said press ready file is performed only if an error relating to packaging of said press ready file was identified in said preflight check (column 8, lines 39-44 and column 9, lines 27-43, where if a problem occurs in the servicing is being interpreted as a problem in packaging as well, as stated in column 8, lines 39-44, and the network is able to identify the error and continue from the point of the error).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said automated remote packaging setup of said press ready file is performed only if an error relating to packaging of said press ready file was identified in said preflight check as taught by Stewart '964 in the system of Roztocil '868. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(3) regarding claims 9 and 19:

Roztocil '868 disclose all the subject matter as described above except wherein said step of performing a prepress rework of the press ready file at the print service provider location further comprises performing automated remote shipping setup of said press ready file to select the desired shipping options for said press ready file when

printed at the print service provider location and to prepare shipping instructions to effect the same.

However, Stewart '964 teaches wherein said step of performing a prepress rework of the press ready file at the print service provider location further comprises performing automated remote shipping setup of said press ready file to select the desired shipping options for said press ready file when printed at the print service provider location (column 8, lines 39-44, where servicing on the completed jobs includes shipping or delivery of the documents) and to prepare shipping instructions to effect the same (column 8, lines 39-44, where servicing is being interpreted as containing instructions for servicing).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said step of performing a prepress rework of the press ready file at the print service provider location further comprises performing automated remote shipping setup of said press ready file to select the desired shipping options for said press ready file when printed at the print service provider location and to prepare shipping instructions to effect the same as taught by Stewart '964 in the system of Roztocil '868. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(4) regarding claims 10 and 20:

Roztocil '868 disclose all the subject matter as described above except wherein said automated remote shipping setup of said press ready file is performed only if an error relating to shipping of said press ready file was identified in said preflight check.

However, Stewart '964 teaches wherein said automated remote shipping setup of said press ready file is performed only if an error relating to shipping of said press ready file was identified in said preflight check (column 8, lines 39-44 and column 9, lines 27-43, where if a problem occurs in the servicing is being interpreted as a problem in shipping as well, as stated in column 8, lines 39-44, and the network is able to identify the error and continue from the point of the error).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said automated remote shipping setup of said press ready file is performed only if an error relating to shipping of said press ready file was identified in said preflight check as taught by Stewart '964 in the system of Roztocil '868. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571)

Art Unit: 2625

270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez
7/3/07



KING Y. POON
~~PRIMARY~~ EXAMINER

Supervising Patent